

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THERAPEUTICSMD, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 1:25-cv-00440-RGA
)	
MAYNE PHARMA LLC,)	
)	
Defendant.)	

**DEFENDANT MAYNE PHARMA LLC’S MOTION TO
DISMISS FOR FAILURE TO STATE A CLAIM**

Defendant Mayne Pharma LLC (“Mayne”) respectfully moves this Court for an order dismissing with prejudice Plaintiff’s First Amended Complaint pursuant to Federal Rules of Civil Procedure 12(b)(6). The grounds for this motion are set forth in Defendants’ Opening Brief, filed contemporaneously herewith.

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July 21, 2025

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MAYNE PHARMA LLC,)	
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Defendant.)	

**[PROPOSED] ORDER GRANTING DEFENDANT MAYNE PHARMA LLC’S
MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

WHEREAS, the Court having reviewed Defendant Mayne Pharma LLC’s Motion to Dismiss for Failure to State a Claim (the “Motion”),

IT IS HEREBY ORDERED this ____ day of _____, 2025, that Defendant’s Motion is GRANTED and Plaintiff’s First Amended Complaint is dismissed with prejudice.

The Honorable Richard G. Andrews